

**Minutes of the Pre-proposal Conference for RfP15/01056:
*Provision of technical assessment, developing of cost estimates and technical supervision of social infrastructure sites located in the security zone of Moldova on both banks of the Nistru river (LOT 1/LOT 2)***

24 July 2015, 11:00

Le Roi Business Centre, room 305

Agenda:

- I. Presentation and description of procedures
- II. Questions and answers

I. Presentation and description of procedures

The Pre-proposal conference was opened by Viorel ALBU, Manager of Social and Infrastructure Development Project, SCBM Programme, who welcomed the participants. He made a short presentation of the scope of the project. Further, he went through the submission and procedures requirements and pointed out some of the important aspects like expectations, the selection criteria, rules and regulations to be applied in the process of evaluation.

He underlined that the evaluation process is based on the scoring grid, which is presented in the **Instructions to Proposers** of this Request of Proposals.

II. Questions and Answers

Question 1: According to running rules of Transnistria region, a company registered there does not need to additionally certify its staff, while the rules of this RfP require staff certification, what to do in this case?

Answer: Indeed, this is one of the requirements of the present RfP. While developing the requirements it was tried to standardize them such as all companies, even one from outside the country, may submit its proposals. However, in order to ensure provision of qualified services, which will be provided on the territory of the Republic of Moldova, we have also considered Moldovan rules towards similar services – e.g. certification of cost estimation specialists/technical supervisors, otherwise it will be difficult to estimate the staff qualification.

A solution for companies originated from the left bank of Nistru River, or outside the country, may be subcontracting local professionals who hold such Certificates. In the conclusion it may be underlined that a company originated from the left bank of Nistru, or outside the country, may participate in the contest, but it has to ensure availability of staff certified according to the laws of Moldova (at least minimum required in the RfP), shall it be it's own personnel or subcontracted. Paraphrasing the above, UNDP seeks a general contractor that will be responsible for the activities listed in the ToR. This kind of contracting is also a so-called insurance mechanism that will guarantee delivering qualified services given that a single company will be responsible for developing cost

estimates and for technical supervision of the reconstruction project, it has developed cost estimates for.

Also, in case of an Offeror from outside the country, there will be accepted internationally recognized certificates issued for professionals in the field of constructions.

Question 2: Are consortiums for this particular assignment allowed?

Answer: Yes. We assume that not many companies will have the capacities and experience to cover all 3 steps of the contract implementation, thereby consortiums, as well as subcontracting are allowed, and even encouraged. A consortium of companies originated from both banks of the Nistru are very much encouraged, given that each of them holds its particular experience in the field of construction in the particular geographical area (falling under different rules).

In case of consortium, please, pay attention to Joint Venture Partner Information Form (part of Section 6) that shall be filed in, and it is important to clearly stipulate the distribution of responsibilities between parties in your proposal (whether in proposal or in Consortium Agreement that shall be attached to the file). In case of subcontracting, please, provide a copy of preliminary contract. Please, be attentive that none of this papers reveals the financial interest of the companies, otherwise it may serve grounds for disqualification. Financial interests shall be part of your Financial Proposal, submitted in a separate envelope (e-mail – if electronically).

Question 3: Is there a limit for services that will be subcontracted?

Answer: UNDP procedures does not limit subcontracting in percentage or amount, however it shall be in a reasonable limit. The final decision will be made by the Evaluation Panel. E.g in case for a given proposal 90% of services will be subcontracted, it will definitely raise questions and the 1st will be: what is the role of the company in this assignment?

Referring to Evaluation and Submission procedures, Corneliu Martiniuc, Head of UNDP Procurement Unit, has drawn the audience attention on the three (3) scenarios of submitting proposals and what they may result in:

- I. Offerors may submit two (2) proposals for both LOTs proposing different implementing teams – and may win a contract for both LOTs with different teams;
- II. Offerors may submit one (1) proposal for one LOT (whichever it chooses) – and may win a contract for the LOT it submitted proposal for;
- III. Offerors may submit two (2) proposals for both LOTs proposing one (1) implementing team – and may win a contract only for 1 LOT, based on the following criteria :
 1. first, the LOT for which the company is the only technically qualified;
 2. secondly, the LOT for which it obtains the highest cumulative score.

In case the Company decides to submit proposals for both LOTs, there shall be separate proposals submitted for each LOT and they have to clearly stipulate the LOT they are submitted for – 1 or 2. In case the Company decides to submit only one proposal it has to clearly stipulate the LOT it is submitted for – 1 or 2.

Question 4: Will be the construction companies that by any chance were involved/subcontracted in the implementation of this contract allowed to participate in the tender for reconstruction works?

Answer: No. This is an evident conflict of interest and such companies will not be allowed to participate in the contest for reconstruction works.

Question 5: Will be the designing companies that were involved/subcontracted in the implementation of

this contract allowed to participate in the tender for provision of technical design services?

Answer: Yes. In case of designing companies, there is no evidence of conflict of interest situation. There are two (2) reasons why designing companies may be considered for further provision of technical design services, such as:

- works for which technical design is required are well regulated by the National Legislation;
- the services required under present RfP do not require development of theme for the technical design services.

The above-mentioned reasons exclude the possibility for a designing company to promote development of the technical design for a given project, thereby they will be allowed to participate in the tender for development of technical design, if any.

Question 6: Shall Technical Specifications be developed following the UNDP format?

Answer: The technical specification consists of bill of quantities and technical specifications itself. The Offeror is required to develop bills of quantities. These will be developed based on resources method complying to the provisions of the Moldovan normative act CPL 01.01-2012 (recommended format is Winsmeta 2000).

Comparing to the previous period of implementing such projects when grants were awarded to the communities and they were entitled to purchase goods or services in accordance to the rules they fall under, this time it was selected direct implementation modality. Considering this, it was decided to select such tools that are internationally recognized, including in Moldova.

Question 7: Shall the professionals required under Section 2 of the RfP, specifically Technical Evaluation Form, Form 3, own the certification in the field of activity?

Answer: Indeed, all of them shall be certified. If not, the points for the corresponding criteria will not be granted.

Question 8: In case a company registered on the left bank of Nistru will manage to obtain certification of its professionals, will these certificates be recognized if submitted in this contest?

Answer: Any resume, certificates, copies of documents that may demonstrate the experience and qualifications of a professional will be considered for evaluation under the present competition.

Question 9: So, actually, what are the services required under Step I, described in the ToR? How many project sites are estimated to be evaluated?

Answer: First of all, Step I refers only to right bank communities, so applicable only for LOT 1. At the moment, there is a contest which will result in obtaining proposals for developing infrastructure projects in those communities. The company selected for LOT 1 will undertake field visits to potential infrastructure sites and will assess their correspondence with the eligibility criteria set by the SCBM Programme and provided upon contract signature. Afterwards, the Contractor will develop and submit a report, with illustrative materials, on data collected on-site, which will include risk assessment of infrastructure project implementation, conclusions and recommendations. Such report shall also include a preventive general estimation of costs for reconstruction/construction works of preselected projects in order to determine if the identified project fits the established technical and financial criteria of the SCBM Programme. In case, as a result of such visit will be identified that proposed project will need development of technical design, such report shall describe this.

The estimative number of project sites is listed in the tables proposed under point B of Section 7

Financial Proposal Form. Under step I there are estimated 100 project sites. You are required to provide the unit price and total price considering the proposed number of project sites. However, in the process of contract implementation payment will be made based on sites visited and reports submitted/accepted. Apart from providing information on the quantity of sites to be assessed/visited during each period, this form also estimates average km to be spent for undertaking a site visit.

Question 10: Who will be responsible for developing the theme for technical design services?

Answer: In case, as a result of a certain site visit the Contractor will identify that a project site needs development of technical design, this is reported to UNDP-SCBM Programme and further it is the responsibility of the project team to deal with such cases. Still, the Contractor will submit a technical report for this particular project site where justification towards development of technical design will be provided. Upon signature of contract, Contractor will be given a model of such technical report that includes necessary chapters to be filled in.

The above mentioned is also applicable for projects in the field of electricity networks, as well as water and sewage networks.

In all the cases listed above, you shall be guided by the national legislation when proposing a project for the development of technical design, since these are well regulated.

In cases where there are doubts toward implementation of a project, Contractor may require performing an additional visit together with the Project team. E.g. a certain community wants reconstruction of a building with an area of 7000 sq.m. A professional Engineer will understand from the very beginning that this will not fit under the maximum allowed budget. However, the Contractor may recommend reconstruction of a part of the building in order to solve partially the identified social problem. If the Contractor will not be keen to make such decisions, a Project Officer/Engineer may accompany the Contractor during the site visit.

Question 11: Referring to payment terms, do you mean that at the beginning the Contractor will support all the costs?

Answer: As stated in RfP document no advances will be paid under present contract. Still, the payment terms will be discussed with the Company-candidate for the contract award and will be split in order to suit to the both parties. Most probably, this will not focus on finalization of each of the steps, it's more realistic to pay based on the products developed, submitted and accepted using the unit prices set in contract for given services.

Question 12: Will the UNDP Programme support the Contractor in obtaining permit to enter in Transnistria region?

Answer: The Transnistrian Authorities are aware of the activities developed by the UNDP-EU SCBM Programme in the region and all the activities developed in Transnistria are implemented with the permit of local authorities. UNDP-EU SCBM Programme may facilitate obtaining approval of the local authorities to develop activities in the region, however, this shall be the Contractor's responsibility.

Question 13: Shall the efficiency of the project and impact of the project implementation in the community be reflected in the technical report? E.g. efficiency of project investment towards number of inhabitants.

Answer: No. Such assessment is part of other expertise and not the case of the proposed assignment. Shall you want to reflect this aspect in the recommendations of the technical report you may do it.

From the very beginning the communities eligible for implementing infrastructure projects were selected based on minimum of 1,500 inhabitants.

Mr. Albu also draw the attention of companies originated from the left bank of Nistru to foresee in their financial proposal all the risks that may arise concerning the currency exchange (USD vs. MDL and local currency) since this will not be covered additionally.

Question 14: What documents shall be provided in order to prove establishment of a consortium? What documents shall be provided in case we intend to employ a person for this particular assignment if selected?

Answer: It may be a Consortium Agreement or a letter of intention to form consortium for this particular assignment if selected. In case of a private person you must provide his/her CV and certificates to establish compliance to the requirements.